

## DEPARTMENT OF SOCIAL SERVICES



May 2, 1984

ALL-COUNTY LETTER NO. 84-53

TO: ALL COUNTY WELFARE DIRECTORS  
ALL DISTRICT ATTORNEYS

SUBJECT: CONFIDENTIALITY OF WELFARE RECORDS

REFERENCE:

This letter is to inform counties of the new confidentiality requirements contained within Senate Bill 480 (Chapter 905, Statutes of 1983) which became law on September 19, 1983. Essentially, SB 480 expands the exceptions on confidentiality requirements to include certain information which can be made available when the applicant/recipient is either deceased or is subject to a warrant of arrest for a felony (if certain other procedures are followed).

To begin with, the release of information in AFDC, Child Welfare Services, IHSS, and other Social Services cases is still regulated by Division 19 of the Department's regulations. Until these regulations are amended (which is planned), the restrictions in them still apply to these programs.

However, the provisions in SB 480 now allow for the release of certain confidential information to law enforcement agencies when the person is deceased or a General Relief (GR) or a General Assistance (GA) applicant/recipient subject to the following provisions:

- (1) The law enforcement agency must initiate a written request to the county welfare department, specifying that the applicant/recipient is either deceased or is wanted on a felony warrant.
- (2) This written request for confidential information can only be made by the head of the law enforcement agency, or by an agency employee so authorized and identified by name and title by the head of the law enforcement agency.
- (3) The confidential information which may be released on the applicant or recipient is limited to name, address, telephone number, birthdate, social security number, and physical description.

Note: Currently, the information cited above may only be released on GR/GA or deceased applicants/recipients. If a GR/GA applicant/recipient also receives food stamps, the information may be released only if the information provided under SB 480 comes exclusively from the GR/GA documents.

Another provision in this law requires that county welfare departments must notify all applicants/recipients (not just GR/GA) of this exemption from confidentiality protections by September 19, 1984 (one year from the date the law took effect). This requirement may be satisfied by a mass mailing of "stuffers" to all current recipients and a notice given to all applicants as part of the application process.

A written statement, such as the following example, is sufficient to be included as part of a "stuffer" or added to the application/renewal documents:

"The information you give us is confidential and will only be used for social service and aid programs. But, if a felony arrest warrant is issued for you or a member of the family, we may release identity, telephone number, and address information to law enforcement (police)."

If you have any questions regarding this new law, please contact Rick Tibbetts of the Fraud Program Management Bureau at (916) 924-2836.

*JOANNE ICHIMURA-HOFFMANN*  
JOANNE ICHIMURA-HOFFMANN  
Deputy Director  
Management Systems and  
Evaluation Division

cc: CWDA